G. R. S. 59] GPB—15,000—20-12-13

GENERAL AND REVENUE SECRETARIAT.

1898–99
191
(Police)

File No. 112

Serial Nos. 1–2.

Papers Filed.

Month Feb 1899

SUBJECT.

Irregular Surrender to the Mysore Police without an Extradition Warrant, of certain persons, arrested in the British Territory.

P. Shirres

PREVIOUS REFERENCES.	LATER REFERENCES.
	Commencement

OFFICE OF THE
DEWAN OF MYSORE
1898-99
2 FEB 99
4222

1039

From

The District Magistrate of the
Bangalore District.

FON Pol
No. 11799

To The Secretary to the Govt
of Mysore
Dated 21st } Genl & Rev Depts
Despatched 23rd } February 1899
Received

General No.
D No. 849

Enclosure No. 1

Brings Notice
the regular Surrender
to the Late Magistrate of
Bangalore without an
Extradition Warrant, of
certain accused persons
arrested in British
territory —

Submitted with
the file regarding
alleged arrests.
Wd. 24-2-99

24.2.99.

9

Bangalore District

D. No 849. District Magistrate's Office

From Bangalore 21st February 1911

To

The Secretary to the Government

of Mysore

Genl & Rev Departments

Sir,

I have the honor to forward for the information of Government, copy of a memorandum from the Assistant Superintendent of Police, reporting that 6 accused persons arrested in British Territory in connection with a case of house breaking and theft in Devarjivanhalli (Bangalore Taluk) have been sent to Bangalore by order of the Local Magistrates and surrendered without any Extradition warrant. This irregularity is brought to notice with a view to prevent recurrence of it in future

The accused persons will be proceeded against in the usual course

I have the honor to be

Sir

Your most obedient servant

W. P. Whitehead

District Magistrate

mrs

Memorandum 1

A case of house-breaking and theft to the extent of property valued at Rs 2660/- was reported in Devarajibanhalli in the limits of Hebbal station of the Bangalore Taluk on the 23rd November 1898.

2. The complainant at first suspected the son of a shop-keeper with whom he was a partner in trade and to whom the property had been entrusted for safe custody and so the case was registered as one of criminal ~~case~~ breach of trust under section 406 of the I. P. Code.

3. The Duffedar of the Station got information on the 9th instant, that it was a clear case of house-breaking and theft and that some of the accused had absconded into Her Majesty's Territories in the North Arcot District. The Duffedar was therefore sent the same day

recovered and taken possession of by the said station-house officer who told the Duffedar that he would produce them to the local Magistrate and have them sent to Bangalore

7. The Police Duffedar submitted his report about this to Bangalore and he requested also that steps may be taken towards obtaining extradition warrant for the surrender of the above named accused persons and the recovered property that had been taken into custody by the Sholinghur station officer

8. The Duffedar then received information that one Mulla, who was also an accomplice in the case had absconded into a village called Kullen Modoo in the limits of the Timpatore Taluk of the Salem District, and went to the Timpatore Police and explained his case. The Timpatore Police thereupon arrested the individual and searched his house No property was recovered.

The Tirupatur Police however produced him before the local Magistrate of Tirupatur as the accused confessed his guilt and said that he had left his share of the property behind in the scene of occurrence and that he would show it.

9. The local Magistrate of Tirupatur then recorded the sworn statement of the Police Duffedar of Hebbal about the case and about Mulla's implication therein and remanded the accused to the Duffedars custody for being taken to and produced before the Taluk Magistrate of Bangalore. As per orders of the Magistrate, the Duffedar returned to Bangalore on the 17th Instant with accused Mulla.

9. On arrival at the Bangalore station, he was surprised to find that the said five accused persons who were under the custody of the Shivajinagar Police and the property recovered there were also escorted

on detective duty and he was accompanied by the complainant's brother named Balaji Rao. The Duffedar went straight to Sholinghur of the North Arcot District and explaining to the Police officer in charge of the Sholinghur station the details of the case, wanted help.

4. The station house officer and the Duffedar accompanied by the complainant went to a village called Doddarandadey in the limits of Sholinghur station on the 11th instant. The station house officer then recovered, in and about that village, property to the value of Rs 453-7-0 which the complainant identified as his own and as those he had lost in Devarajikandalli. The Police officer of Sholinghur station then arrested the same day the marginally noted individuals, as a portion of the property was found in their possession and as the remaining portion was traced out through their confession. The Duffedar then recorded the statement of the individuals

Annappiah
Doddanniah
Venga
Muthukanniah
Chanchi
Mulla

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on

to Bangalore by the same train by the Police of the Shoshinghun Station with a view to their being produced before the Taluk Magistrate of Bangalore.

10. On the 18th instant, the five accused persons escorted by the Shoshinghun Police and the accused Mulla escorted by the Police Duffedar of Hebbal were all placed before the Taluk Magistrate of Bangalore, who remanded them again to the custody of the Bangalore Taluk Police for 10 days for the further investigation of the case.

11. Under sections 15 and 16 of the Foreign jurisdiction and extradition Act No. XXI of 879, the Magistrates having local jurisdiction Shoshinghun and in Trinpatur are authorized issue a warrant ~~for~~ ~~the~~ arrest for accused persons, under the circumstances e noticed and to detain them in custody a period not exceeding 2 months in pectation of an extradition warrant from

who had purchased the property piecemeal from the accused persons.

5. On the 12th instant, further property to the value of Rs 82-8-a was recovered in the villages of Kodaikal and Doddandady. This property, together with that recovered on the previous day, was taken possession of by the Station House officer of Sholinghur.

6. On the 13th instant, further property to the value of Rs 12/- was recovered in Sholinghur itself. The same day, accused Chinnaperja and Doddurinnalos gave the clue for the re-covery of some property which they had dis-posed of in the village of Damaneri in the limits of Krishnarajpetta Station of the Tumkur Division. The Duffedar thereupon proceeded to the spot on the 13th instant, and made a requisition to the Station House officer of Krishnarajpet Station for the recovery of that property. This was also complied with and property to the value of Rs 62-14-a was

the British Resident in Mysore. - But the undersigned fails to see how the Magis-trates were justified in forwarding and delivering the accused persons to the Taluk Magistrate of Bangalore, before an Extradition was issued for the apprehension and sur-render of the said accused persons

12. Submitted to the Deputy Commissioner as the matter appears one requiring to be reported for the orders of Government.

(Sd) L. Krishna Rao.
Asstt Supdt of Police

Copy
(Sd) K.P. Puttanna Chetty
Dt Magte, Bangalore.

Office Copy

SECTION Pol

FILE No. 112798

SER II No. 2

Spell at once.

25/2/99.

To

The First Asst to the
Resident in Mysore

10035

Sir, I have the honour to refer to your letter No. J/1237 dated 27.2.99.

I am directed to state for the information of the Resident, that the persons who were accused of house-breaking and theft in Devarjeevanhalli of the Bangalore Taluk and were arrested in British territory, ~~have~~ are reported ~~by the Sheristadar of Bangalore~~ to have been surrendered by the local magistrate to the ~~Taluk Magistrate of Bangalore~~ without the formality of an extradition warrant. A ~~copy~~ memorandum submitted by the Dy. Magistrate Bangalore is enclosed.

2. Since the irregular procedure in question does not ~~in any way~~ affect the jurisdiction of Mysore criminal Courts, (Vide your letters No. S/708 dt/7-2-98 and C.No. S dt/10-10-97), I am to add that the accused persons will be duly proceeded against in the usual course.

I have the honour to be,
Sir,
Your most obedient servant,

25/2/99

Secr

(XSL no 15-7LA)
(XL no 3 7LD)

I think we may question him
when he comes to the
Chief Court with the
agreement signed between
the two Governments

24-2-99

4 copies sent to Residential Care

including my letter of
[illegible] which was
printed & published
in Local Government
Gazette when [illegible]
went there - 6

25/2/99.

Philip Harris
25-2-99

Jan 1 file
submit to [illegible]

Attended to.
Jan
27/2 Seen - please
please acknowledge
file. 1/3/99
Just 1-3-99